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# Niklas Luhmann as a Theorist of Exclusion : A Journey from the Greek *Polis* to the Brazilian *Favelas*

Francisco Carballo

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- 1 Niklas Luhmann (1927–1998) is considered one of the most sophisticated and influential sociologists of the second half of the twentieth century. Nevertheless, he is usually set apart from his peers who are better liked and cause less animosity in contemporary academic circles. The reason for this is quite simple. He refused to build his reputation in the usual way: addressing the most pressing concerns of public opinion, embracing causes of significant political appeal, and providing ready-made solutions to ease the evils of the present day. “I am the Lucifer of social theory,” Luhmann confessed while his face glowed with a mischievous smile during his last visit to London. If he is demonized, it is because he chose to be so. He enjoyed being a thinker of cult status; he resembled other illustrious German thinkers: Martin Heidegger, Carl Schmitt, Eric Voegelin, and Leo Strauss, for example, using Luhmann a hermetic language to avoid theoretical simplifications but also to circumvent the need to take clear political stances. He preferred disciples rather than comrades, initiates who learned to move around the *labyrinth*, an image he frequently deployed to describe his body of work.
- 2 At the height of his prestige, he mentored small groups of followers at select universities around the world. These were academic clusters formed by staunch supporters of his *Systems Theory*, cutting-edge functionalism capable of answering without hesitation almost any question posed about the social world. Luhmann and his followers bragged about having a “super theory” of universal scope, one ideal poised to include in their explanations “both themselves and their opponents.”<sup>1</sup>
- 3 After Luhmann’s death, no one dared to replace the eminent scholar as head of his sociological school. His disciples’ determination to translate, explain (without lapsing into textbook simplifications), and recruit new cohorts in real-time relied on what had been the overpowering charisma and productivity of the theorist based in Bielefeld. Luhmannism without Luhmann tends to abjure its proclivity to incest and opens a

fruitful dialogue with recent trends in social sciences and the humanities; a discussion started, it must be recognized without hesitation, by Luhmann himself. The willingness to engage with diverse academic traditions was received with suspicion by dogmatic followers and opponents alike. Critics, I should add, question the intellectual openness of someone they considered one of the most brilliant representatives of neoliberalism's technocratic spirit.<sup>2</sup> However, an increasing number of people find in Luhmann a rich source of ideas. Rather than adding height to the twin towers of his theoretical architecture, *Systems Theory* and *Theory of Society*, they scrutinize them in search of elements on which to base their conceptual constructions. For them, the task is thinking with and against Niklas Luhmann.

- 4 I orient this essay with two words that have been used thus far: dialogue and critique. In the following pages, I embark on exploring the following premise: Luhmann could prove of great use to understanding *nomos*, the cornerstone of Greek political thinking. I believe that the best way to proceed entails dissecting a conceptual opposition he used in his sociological analysis: inclusion/exclusion. This dichotomy redeploys in the language of modern social sciences the distinction formed by Greek terms *nomos* (order/law) and *phusis* (nature). Moreover, the dualism created by inclusion and exclusion has a semantic correlate: the centrality of "barbarism" in European intellectual history as a category to deal with the "other". First, I will recover Luhmann's procedure in his essay "Jenseits von Barbarei" (Beyond Barbarism).<sup>3</sup> I will reconstruct the correspondence between barbarism and exclusion; between semantics and social structure in Ancient Greece. Luhmann's importance as an illuminating thinker of Greek *nomos* should be evident by the end of these pages. I am also interested to see how radical exclusion, for Niklas Luhmann, lives on in the slum dwellers of the present-day.

## Barbarism and the Construction of the Western Political Form

- 5 Barbarians and their barbarism have a long and complex history. "Nothing is more complicated than a barbarian," wrote Gustave Flaubert to Sainte-Beuve the same year *Salambó*, his *barbaric* epic, was published.<sup>4</sup> Barbarism is one of those words that are continually evolving. With every passing generation, the name acquires new significance without entirely abandoning previous layers of meaning. The concept comes from Classical Greece. It presupposes those who mutter rather than speak. In this respect, the first act of barbarism is to distort language, but not any old language. The distorted language is none other than Greek itself.
- 6 The barbarians are those foreigners that speak a careless, broken Greek; not only do they violate language when they speak, but they apply a foreign and probably mistaken logic to it. What is at stake here is vital. It entails, in principle, proximity: Greeks and Barbarians live near one another; their paths frequently cross. The language that unites them on the surface separates them fundamentally. They are palpably different. Verbal skill, which is nothing but the ability to think correctly, creates an abyss between them, or at least the Greeks firmly held onto that belief.<sup>5</sup> It is easy to overlook a key element in this relationship, that it is the Barbarians who make an effort to approach their neighbours, to learn the language of the Greek and not vice versa.

- 7 To delve into this problem, as with many other questions, Plato is highly significant. In the *Statesman* (262d) he questions the distinction between the Greeks and the Barbarians, between an “us” and “all others.”<sup>6</sup> The Barbarians do not form a coherent whole. For Plato, separating the Barbarians from the Greeks is like isolating any number from its sequence or severing a kind of animal from the rest of the living beings. It is an act of pure linguistic arbitrariness. By saying “Barbarian,” we are indicating that the “other” is a non-Greek, nothing more. The idea of the Barbarian is empty in as much as it compresses a racial, linguistic, religious, and political multiplicity into one term. It explains nothing by being too comprehensive.
- 8 If we try to understand what rests beyond the limits of the Greek cities, it would be required to make a distinction between different human groups: “Lydians, Phrygians, or any other tribe,” says Plato. It would be necessary to begin by differentiating according to their characteristics, to categorize following well-defined criteria, and thoroughly investigate their natural forms (*eidos*). After all, proceeding with such seriousness would report not only a typology based on concrete facts but also a hierarchy founded on solid pillars. Some Barbarians would occupy a higher position in the ladder of cultural achievements than some others. Perhaps even superior to the Greeks themselves. Suffice to say that Greek philosophers did not rule out the possibility that their discipline had started among foreigners. Many Greeks regarded outsiders with admiration: Solon, Herodotus, Diogenes Laertius, to mention but a few. Arnaldo Momigliano remembers how Herodotus respected those living on the opposite side of the Mediterranean: “The Egyptians in most of their manners and costumes reverse the common practice of mankind”; no wonder the Greeks adopted a great deal of their cultural universe from the Egyptians.<sup>7</sup> Friedrich Hölderlin praised the difference from oneself as the supreme virtue of the Greeks that should be regained for modern culture, and Hannah Arendt was prone to say that “impartiality” to judge foreign cultures entered the European world with Homer.<sup>8</sup> Nonetheless, other barbarians were mentioned as less sophisticated. They were described as brutal in their practices and in their customs. Pherecrates, Herodotus (in some passages), and Strabo, a playwright, a historian, and a geographer respectively, narrated the alleged vicious savagery of distant peoples with sheer fascination.
- 9 For Plato, the philosopher of knowledge, using the term “barbarian” shows an absolute *barbarism*. It means that the person speaking cannot establish differences or set up classifications. Although Plato attacks the idea of the barbarian from the standpoint of logic in the *Statesman*, in the *Menexenus* (245c-d) he uses the term to engage in small-time politics in all its crudeness.<sup>9</sup> His words resound as those of a volatile sophist seeking his public’s applause and not of a scholar interested in deducing the relation between names and the ultimate nature of things, just as Socrates does by discussing language in the *Cratylus*.
- 10 The *Menexenus* deals with history and politics, not with epistemology. Plato tells of the Lacedaemonians’ manoeuvres devised to conquer some towns on the edge of the Hellenic world. The invaders’ plan relied on the assumption that Athens would be tired after endless military conflagrations. It was very unlikely, or so they predicted, that Athens would come to the defence of the communities that turned in its cultural orbit, but with whom relations were rather strained. Upon the imminence of the Argive attack, Boeotians and Corinthians asked the regional power for help. The Athenians had sworn not to participate in the conflicts of other cities; however, their strong sense of

honour prevented them from “perpetrating the shameful, sacrilegious act of handing some Greeks over to the Barbarians” (*Menexenus*, 245c-d). Despite the clear understanding that since they lived on the periphery the Greeks in question were of mixed breeds, border creatures, Hellenes more by law than by blood, they were still under Athenian protection:<sup>10</sup>

Such was the natural nobility of this city, so sound and healthy was the spirit of freedom among us, and the instinctive dislike of the barbarian, because we are pure Hellenes, having no admixture of barbarian in us. For we are not like many others, descendants of Pelops or Cadmus or Egyptus or Danaus, who are by nature barbarians, and yet pass for Hellenes, and dwell in the midst of us; but we are pure Hellenes, uncontaminated by any foreign element, and therefore the hatred of the foreigner has passed unadulterated into the life-blood of the city.<sup>11</sup>

- 11 It is necessary to delve into the apparent contradiction in which Plato’s two faces are immersed: the prudent reasoning of a philosopher and that of a citizen emotionally involved in the affairs of his city. In the *Republic* (469b-476c) things are settled more clearly; Plato unpacks the difference between *stasis* and *polemos*.<sup>12</sup> The conflicts among the Greeks are circumscribed to the first word. *Stasis* speaks about disputes among people and groups of equal dignity. It supports what Hobbes in *De Cive* (1647) calls “the natural equality of men.”<sup>13</sup> It is a healthy competition to be the best among the best (*aristos*) where clashes are resolved in the victory of some, but never in the annihilation of others. In general, the dispute is resolved in the settlement between the parties: a brotherly reconciliation or at least a negotiated settlement. It is worth remembering how Solon appeared in Athens’ history as a man who placed himself above factional struggles. His mission was to calm the spirits and overcome once and for all the temptation of civil war. His method consisted of imposing a sense of legality that was equally valid for all parties involved.
- 12 *Stasis* aims above all at stability; this is essential for our discussion on Luhmann. It is based on the agreement of different forces which eventually attain a balance. They reach a state of harmony in which the prevailing order assigns a name and value to everything that exists within a unitary space of cognition and commonality. “The world is more perfect if it contains not only angels, but also stones, not only men, but also women, not only Hellenes, but also barbarians.”<sup>14</sup> In these distinctions, a hierarchy rather than a clash of opposites is deployed. In this type of society there is no vertical movement: rank is never questioned. Movement is always horizontal, and its goal is to underline the superiority of one side of the distinction above the other: angels over stones, men over women, philosophers over artisans, masters over slaves, Greeks over Barbarians. The *nomos* of the ancient city relies on pure and simple stratification.<sup>15</sup>
- 13 *Polemos*, a significant word in Heraclitus’s vocabulary, means that the conflict is everlasting and radical. It describes the free interplay of conflicting forces. The forces that ultimately intend to emerge, expand, and become enthroned. The tragedy is that these forces cannot coexist or differentiate their particular areas of influence over the same plane. Furthermore, they cannot help but define their existence on an unavoidable premise: the necessary annihilation of their opponents. *Polemos* speaks, therefore, of an extended and insoluble conflict. The relation between Barbarians and Greeks must be regarded, claims Plato, from the perspective of *polemos*. It is an existential issue, not an epistemic one. In order for the Greeks to exist, the Barbarians must be exiled or eliminated. Exclusion may be concrete or virtual. The former appeals to everyone’s conscience; it summons to war, to shed one’s own blood defending the

city walls. The latter imposes an idea of the collective being; it demands becoming secluded from the Barbarians in order to relegate them, that is, from the realm of the visible. Barbarism is a representation of *phusis* that needs to remain outside the walls guarding the *polis*.

- 14 If in the *Statesman* Plato delineates what will eventually become the programme of modern anthropology (opening up to the outside world, a classification of the differences, and a search for common denominators in the human condition), in the *Menexenus* and the *Republic* his interest dwells on rather different problems. His characterization of barbarians has less to do with the “other” than with the Greek *polis* itself. He is interested in *nomos* understood as closure, as a sealed and “perfect” unit. I refer to the creation of a separate universe which entails by definition that it has no referent other than itself.<sup>16</sup> Like Narcissus, the Greek political form lives to look at itself in the mirror. Luhmann would call it differentiation (*Ausdifferenzierung*). The differentiation of a form vis-à-vis its environment. Such a process involves the utter reduction of complexity. *Nomos* is fearful of diversity; it regards the multiple as a sombre threat to its stability.
- 15 The law by which a universe comes into being is always the same: severance and closure. In other words: the institution of its own limits, of its own determinations (*peras*, a Greek concept later re-launched by Hegel as *Bestimmtheit*). It is worth remembering a book of invaluable importance for Luhmann if we want to understand what lies behind Plato as a thinker of the political form. In the introduction to the mathematics of his *Laws of Form* (1969), G. Spencer-Brown starts with the following lines:  

A universe comes into being when a space is severed or taken apart. The skin of a living organism cuts off an inside from an outside. So does the circumference of a circle on a plane. By tracing the way, we represent such severance, [...] we can begin to see how the laws of our own experience follow inexorably from the original act of severance.<sup>17</sup>
- 16 In the *Republic*, Plato imparts a very concrete spatial image to his reflection. His is a landscape of closed borders and boundaries. He compares his king-philosopher to the sculptor (*Republic*, 420c).<sup>18</sup> The ruler must sculpt his political order in marble. To succeed, his creation must have the permanent character of the monolith. In the *Laws*, Plato describes Zeus, the father of all deities, as the god of walls, of well-defined borders. The walled city acquires philosophic consistency and social effectiveness. The dividing line determines the way in which the world is constructed and experienced. The *polis*’ walls are both porous and resistant, and yet the philosopher emphasizes only resistance and immutability.
- 17 Three important factors for understanding exclusion in the time of the ancient city derive from what has been expounded so far: space, time, and the internal organization of the *polis*.

## Space

- 18 Existing as an area crisscrossed by distinctions, “the inside” is sustained by the idea of an outer space: “the outside.” This outside is a space without any kind of differentiations. The Greeks called it *aperion*: everything is mixed up together; there is

no way to distinguish elements of a different nature. Using Luhmann's vocabulary, and in this he follows Spencer-Brown, I would have to discuss the "unmarked space."

- 19 For the Greeks to be able to consolidate their political form, it was necessary to postpone, as I have already mentioned, the anthropological project that Plato outlined in the *Statesman*. In order to know themselves, they had to overlook the Barbarians, de-identify themselves from their neighbours. The intrinsic misfortune upon observation is invariably the same: by definition something remains outside, out of sight, always behind the observer's back. This is the dead zone, the blind spot (*blinder Fleck*). Here lies an important epistemological paradox in Luhmann's work: in order to know, it is necessary to *ignore*. To consciously ignore.<sup>19</sup>
- 20 The blind spot hints at something else. What remains out of sight makes its presence known by other means. It is like someone breathing down one's neck. You cannot see the person, but you can feel it. Here the paradox acquires a new sense: inclusion comes about by way of exclusion. To a great extent the outside is responsible for the inside. Political form is ultimately the sum total of the marked and the unmarked spaces. For a universe of distinctions to survive, it is necessary to be evaluated in relation to its opposing side, in relation to *phusis* conceived in the most terrifying of its possible representations: an entity without a precise form. Without their dark side, distinctions would dissolve in the undetermined, Luhmann explains.<sup>20</sup> Order is only justified before disorder, and civilization can only be defined if barbarism is previously established. This is what is called in the language of Systems Theory *negative integration*.
- 21 It is convenient to remember from the outset that the barbarians never identify themselves as such.<sup>21</sup> They are included in as much as they lose their intrinsic characteristics and become Hellenes' negative pole. Upon looking at themselves, upon instituting a distinction between the "inside" (what is included) and "outside" (what is excluded from sight), the Greeks *externalize* their sins, but also their anxieties: violence, lust, injustice, greed, the perennial temptation of *polemos*. Everything they would rather repress for themselves they blame on the others. The Barbarians are, therefore, pre-fabricated creatures. They are usually imagined stalking the city walls intoxicated by their own destructive passions.
- 22 Two examples from Greek literature – one classical and the other modern – help us to grasp the topics developed thoroughly in this section. I am thinking about the *Bacchae* by Euripides and a famous poem by Constantine Cavafy "Waiting for the Barbarians" (circa 1904).
- 23 In the *Bacchae*, the central character is Dionysius, that "genius of the heart" as Nietzsche used to call him, who returns to Thebes after a long exile. He comes back to remind the city what he has decided to erase from memory: his barbaric passions.<sup>22</sup> Pentheus, the new political head of the city, does not approve of Dionysian cults. The rites are practised in secret and in spirit that threaten, or so the ruler believes, the regime of the visible which distinguishes the *nomos* from the *polis*. Pentheus represents the two characteristics of the political form: petulance and innocence. Petulance (and innocence) in believing that "inside" is the only thing of worth; innocence (and petulance) in believing that holding on to its own certitude is enough to keep the "outside" at bay.
- 24 All that Dionysius demands is humility. The bastard god does not fight to impose disorder within the city walls, the rampage of natural passions or even the return to



that which has been reduced to the field of the invisible. He does not ask the Barbarians to flutter around the *agora* in a crazy frenzy. He simply demands acknowledgement. He petitions from *nomos* to remember from time to time that the social arrangement is equally indebted to the visible and the invisible, to what is determined and that which remains undetermined.

- 25 The Dionysian rite presupposes that the “inside” recognizes the weight of the “outside.” When the *polis* leaders refuse to bow to that which they do not dominate, the city’s order is put into question. Dionysius punishes the rulers with all his malicious fury: he destroys the symbols of visible power (the government palaces, for instance) and paves the way for the assassination of the great dignitaries (Penteus is dismembered by a mob of women). What is more, the enraged god upsets the hierarchies and the classifications in which the city is based. Women abandon, in the same way as in Aristophanes’ *Ecclesiazusae*, domestic life, the *oikos*, and become important characters in the public drama of Thebes. The natural order is violated: instead of giving birth, they murder their own children. Similar to what occurs in Aristophanes’ play, the women of Euripides try as hard as they can to eradicate distinctions between male and female, *oikos* and *polis*, the beautiful and the ugly, virtue and misdemeanour. The challenge to *nomos* is precisely to obliterate the order of distinctions.
- 26 According to Plutarch, Dionysius, the god of *humid* nature, and Apollo sign an agreement guaranteeing peace between the visibility in which the political city is based and the darkness that corresponds to the outside of the political order. Here is the pact: every two years the representative of luminosity yields his temple to the master of sombre passions for a few months. Dionysius celebrates his transitory rule by saluting that which brings about doubt over certitude, questions over axioms, wine over military training, theatrical representations over the proceedings in the political ecclesia. In Euripides’ play, as usually happens in classic tragedies, the chorus works as a representative of totality. From the beginning it warned of what the rulers ignored or pretended to ignore: the political form is the aggregate of marked and unmarked space.
- 27 Cavafy stands on the opposite side of the problem stated by Euripides. Cavafy’s *polis* lives obsessed with the “outside.” The city has mislaid haughtiness and has but a small bit of *naïveté* left. What would happen, the poet asks, if the barbarians no longer existed? Better still: what would be the consequences for the *polis* if the barbarians refused to play their role?
- Why should this anxiety and confusion  
suddenly begin. (How serious faces have become.)  
Why have the streets and squares emptied so quickly,  
and why has everyone returned home so pensive?  
Because night’s fallen and the barbarians have not arrived.  
And some people came from the border  
And they say the barbarians no longer exist.  
Now, what will become of us without barbarians?  
Those people were some kind of solution.<sup>23</sup>
- 28 The answer is as simple as it is terrifying: without the barbarians the political form would disintegrate in a blink of an eye. The barbarians are their ultimate *raison d’être*. However, Cavafy’s poem must be read imagining as well its complementary version. It is necessary to conceive of a similar poem from the point of view of the outside. What would happen, a hypothetical poet might wonder if “civilization” forgot all about



barbarians? What would happen if the barbarians mislaid their alibi to play their role? After all, the environment is also indebted to the system that excludes it.<sup>24</sup>

## Time

- 29 The institution of marked space, the differentiation of the political form in respect to its environment, comes hand in hand with the institution of historical time. On this point I follow Reinhart Koselleck fairly closely. Historical time makes it possible to interpret the present day in relation to the past and the future; the before and the after. Let me explain: it allows the conjunction of experiences (the memory of what has already happened) and the horizon of expectations (the future) in the same sequenced narration.<sup>25</sup> Duration and change do not contradict one another; on the contrary, they complement each other. Temporal order supports the coherence with which a society describes itself. In terms of the ancient city, such articulation consists in the glorious past (that is usually taken as a mythical time) and the promise that the *polis* will transcend into the future, tomorrow will be at least as good as today. I will translate some lines by François Châtelet to illustrate my point:

The future is not just suffered and understood anymore; it is also wanted: since that very moment politics becomes normative; not only is it the key concept of every intelligibility of the past, but also it intends to be the way of acting towards the future and altering the course of events.<sup>26</sup>

- 30 In addition, time makes it possible to conceive the social as an order that is closely connected to communication; or rather to the protocols that define communication, in Luhmann's sense. The emission/understanding of messages is organized in its original form in relation to historical time: yesterday, today, and tomorrow. Memory is but the instrument that makes the present a consequence of the past. However, memory is highly selective. It decides what to remember and what to forget. It decides as well when to remember. It does so to provide consistent answers to challenges that re-occur periodically.<sup>27</sup> Moreover:

A system that may make use of memory permanently discriminates between forgetting and remembering. Structurally it is necessary (precisely because of the procedures of memory itself) to keep on permanently forgetting, to allow new information coming in. Since permanently remembering might in time lead to self-blockage. But this function may be, with exceptions, inhibited, when internal or external reasons so require it to consider identities and when it is necessary to bring back certain things to memory. Consequently, remembering is not a reflexive accomplishment, it is the repression of repression, since that is the only way in which a system can deal with what is happening permanently.<sup>28</sup>

- 31 Historical time is an indispensable element for understanding the *nomos* of the *polis*. Living, on the other hand, in the unmarked space, beyond the boundaries of *nomos* is something else completely. Aristotle echoing Homer assures in his *Politics* (1253a) that a man without a city is nothing more than a savage beast without a god.<sup>29</sup> In the twentieth century, following Aristotle, Heidegger explains that those without a place of their own are mysterious, foreign to themselves, and more importantly alien to history.<sup>30</sup> For them there is no mediation whatsoever, and things are experienced in their instantaneousness, without a before or an after. The unmarked space is the realm of uncertainty, of radical contingency. What Luhmann says to describe his impressions of Rio de Janeiro's *favelas* carries an echo of how the barbarians were described in classical

antiquity, with a mixture of violence and promiscuity: "Their swift readiness to use physical force, [...] sexuality, the compulsive satisfaction of primary needs are at free disposal (without taking into consideration symbolic recursiveness), and this prevents a communication rich in assumptions to be achieved."<sup>31</sup>

32 Without distinction, Luhmann claims, the world is presented as a space devoid of referents. He describes a space in which people are alien to the protocols that define effective communication, for him, the basis of social life.<sup>32</sup> In that understanding, living in the unmarked space means living not only in the margin of history as in the chronology of social events, but also existing outside of communication. It is crucial to understand that in communication, transmission counts for not very much. The act of emitting messages implies, by definition, proposing a topic of discussion; suggesting a certain kind of meaning. What matters is that the information does not fall on deaf ears. To be counted as communication, the proposed message has to be included in the city's discussions. When something is communicated what matters is reception.<sup>33</sup> Hence, when the barbarians speak, they produce but noise, downright distortions of meaning. No one recognizes the emission when the emitter is excluded from public debate. The reciprocity codes that distinguish the communicative function stop working once the frontier separating the inside from the outside of the form is crossed. This is a crucial issue for Luhmann: the difference between inclusion/exclusion has to do ultimately with the possibilities of participating or not in the communication that is innate to the social systems. This is true for the Greek political form but also for the modern functional systems.

33 The second point concerning exclusion and time is the following. The establishment of historical time in Ancient Greece is decisive in legitimizing spatial exclusion. I am concerned here with an issue of paramount importance: grasping the reason why European expansion throughout the world recovered Greek culture for its cause. I am thinking particularly about the idea of the outside suspended in limbo: an eternal childhood of sorts. While the Greeks advance along the path of technical progression to which they were pushed by Prometheus as described by Protagoras in the platonic dialogue of the same name (320c-323a), the barbarians are still living as the ancestors did before them.<sup>34</sup> They are stuck in time. To illustrate Greek attitudes towards technical advancement, I quote a moment which celebrates Prometheus' generosity; from Theseus in the *Suppliant Women* by Euripides (200-213):

Praise to the god who shaped in order's mould  
Our lives redeemed from chaos and the brute,  
First by implanting reason, giving then  
The tongue, word-herald, to interpret speech;  
Earth's fruit for food, for nurturing thereof  
Raindrops from heaven, to feed earth's fosterlings,  
And water her green bosom; therewithal  
Shelter from storm, and shadow from the heat,  
Sea-tracking ships, that traffic might be ours  
With fellow-men of that which each land lacks;  
And for invisible things or dimly seen,  
Soothsayers watch the flame, the liver's folds,  
Or from the birds' divine things to be.<sup>35</sup>

34 There is, in addition, an alternative version: as the Greeks make progress, the barbarians move slowly, following the Greeks from a considerable distance. It is useful to quote Isocrates in his *Panegyric* (50) as a sample of what I am expounding here: "So

far has Athens left the rest of mankind behind in thought and expression that her pupils have become the teachers of the world, and she has made the name of Hellas distinctive no longer of race but of intellect, and the title of Hellene a badge of education rather than of common descent.”<sup>36</sup> Only by including the others in the Greek *paideia* (education) is it possible to integrate them into historical time. Otherwise they are doomed to be left “outside” in space and “behind” in time.

## The Internal Organization of the *Polis*

- 35 Luhmann says that to speak about barbarism in classical antiquity is to create the prehistory of a modern problem: the relation between inclusion and exclusion.<sup>37</sup> However, he also asserts that in order to understand the way in which inclusion/exclusion fused in European classical antiquity, it is necessary to consider the organization of the family, the *oikos*.<sup>38</sup> In order to clarify what at first appears to be a contradiction, I propose the following explanation. Inside the ancient city, there is stratification but not exclusion as such. In the *polis* everything has a name, a place, and function within a well-defined hierarchy. Exclusion from the *polis* is equivalent to demarcating strict ontological regimes. These are frontiers that are impossible to cross as they separate two sides of a distinction: Greek/barbarian; *nomos/phusis*; artificial/organic. In the ancient Mediterranean city, there was a clear distinction between exclusion as a deeply ontological question and the administration of inequality as an issue concerning the internal organization of the *polis*.
- 36 I will elaborate on exclusion in the purely legal sense to illustrate what I mean. *Atimia* meant the loss of civic rights. A citizen stripped of his right to participate in political affairs and religious festivities became a social pariah. In the vast majority of cases, the disgraced person had no option other than exile, suicide, or retreat into insanity. In other words, the wretched citizen was forced to face the unmarked space on his own. Political exclusion was equivalent to an ontological degradation. This ontological downgrading terrified Socrates more strongly than death in the moment when he was invited to flee from his city and avoid the capital punishment to which he had been sentenced. Socrates’ decision to drink the hemlock poison is hugely symptomatic: it is better to die on the internal side of the political form (in conformity with the city’s *nomos*) than to live on the external side, in the unmarked space.<sup>39</sup>
- 37 However, inequality was an incontrovertible fact among the Greeks. I highlight an accusation often brought against Athenian democracy, for many the ultimate measure of a virtuous political community. Present-day historians remind us that women, slaves, and foreigners remained on the margins of the political process.<sup>40</sup> Elections were only held for a few important positions, of state treasurers and generals, for instance, and post-holders were chosen by lot. The following estimate is revealing: of 100,000 Athenians, barely 30,000 were citizens with full rights. That is, not including 40,000 foreign residents in a harbour who engaged in formidable commercial activity (and whom, incidentally, Plato decides to forget both in the *Laws* and in the *Menexenus* when he describes the ethnic purity of the Athenian streets) plus 150,000 slaves stripped of any visibility in the city’s affairs; they appeared in the census as commodities.<sup>41</sup> Looking with the eyes of our modern democratic sensibilities, this indicates that the political system excludes the majority in favour of the minority. Such an accusation does not hold true for Classical Greece.

- 38 In the *polis* the citizenry was the product of a stratified society and not of a principle of universal inclusion. Participation in politics was a result of occupying a given place in the city's hierarchy. The less fortunate had to resign themselves (or at least that is what the philosophers suggested) to playing the role assigned at birth. Ignoring the position each man occupies in the social ladder, says Plato in the *Republic*, nurtures the worst kind of social pathology which often happens, according to the philosopher, in a democratic regime. Popular leaders such as Pericles instead of teaching virtue and justice encourage people to become forgetful of their predetermined social role. Socrates warns in *Gorgias* (515e) of the possible by-product of democracy's effect on common people: they can easily become "idle, cowardly, talkative, and avaricious".<sup>42</sup> In the *Laws* (846d), Plato points out that artisans should not participate in the city's government.<sup>43</sup> They must be prevented at all costs from becoming citizens. Artisans are not trained to think properly and therefore are not ready for public office or even to take decisions of civic consequence.
- 39 The hierarchy sustained itself in domestic order. The *oikos* was traversed with economic production, affects, and the government of personality.<sup>44</sup> The administration of that order corresponded to the *oikonomia* and suggest asserting the father's superiority over women, the young, and children; the master over the slave; the mind over the passions of the lower abdomen; and the architect (understood as he who commands in terms of ideas) over the craftsman who works with his hands. Only the father/master who controls his passions and knows how to move in the world of ideas can participate effectively in public life.<sup>45</sup> According to Luhmann, equality was equivalent to the possibility of being taken into account in society, to have access, that is, to protocols of communication. To summarize, the political equality that is so admired in the Greek *polis* was embedded in a profoundly stratified arrangement.

## Luhmann Visits the *Favela* or How He Encountered "Barbarism" within the Contemporary World

- 40 One of Luhmann's central topics of concern in the last years of his life reads as follows: where to locate the other side of modernity, its unmarked space? The issue was not easy to solve. After all, function systems are not limited to a precise geographical area. Western modernity had irreversibly colonized the world. It had shaped the world into its image, or so Luhmann believed.
- 41 The sociologist was somewhat ambivalent about the existence of an actual social formation at the margins of the modern world. And yet, during one of his frequent visits to Latin America, he discovered what became in his late social theory the other side of modernity: the slums, the *favelas* of the Global South.
- To the surprise of the well-meaning, it must be ascertained that exclusion still exists, and it exists on a massive scale and in such forms of misery that they are beyond description. Anybody who dares a visit to the *favelas* of South American cities and escapes alive can talk about this. [...] To this effect, no empirical research is needed. Who trusts one's eyes can see it and can see it impressively that all explanations at hand will fail.<sup>46</sup>
- 42 Soon the shanty towns became a recurrent rhetorical instrument for Luhmann. They served to fight one of his favourite *bête noires*: universal integration. Luhmann, the devil's advocate of European social theory, recognized in the *favelas* the impossibility of

modern society to deliver its ultimate promise: total social inclusion. Shanty towns assisted him as well with two other purposes that I am interested in dwelling on for a moment. The first was to demarcate the limits of his scientific method, and the second, to issue the theorization of *negative integration* on a global-scale. The interesting thing is that to a great extent these two intents are at odds with each other.

43 The slums helped Luhmann to demarcate his area of scientific competence. Regarding this, I want to point out both an ethical and a methodological question. Charles Sanders Peirce and Ludwig Wittgenstein's influence is felt here; nothing substantial can be said about certain things, and in this sense, it is better to keep quiet. Otherwise, in the best case, literature is made and in the worst, an ideology, but never science properly speaking. In the *favelas*, everything is a sensory experience creating emotional ups and downs. A first-order observation was more than enough to discover the eternal truths of the *favelas*. In the shanty town, the body reigns supreme, and the body abandoned to its desires subtracts itself from the requirements of both the function systems and the advanced precepts of communication. There, where there is only body, social sciences do not have anything to say, or explanation to offer. Social scientists have the same degree of understanding as any other person who witnesses the calamity to which its inhabitants are subjected.

44 Something similar happened to Claude Lévi-Strauss on the streets of Calcutta. His principles of structural anthropology proved insufficient to find a substratum of social meanings for what was assaulting his senses. His only option was to allow his pen to flow, to report what was a sensorial experience of poverty. I reproduce a passage from *Tristes Tropiques* (1955) to illustrate the feelings of a scientist facing the ultimate limit of his anthropological lenses:

Whether we are considering the mummified towns of the Old World or the fetal cities of the New, we are accustomed to associate our highest values, both material and spiritual, with urban life. But the large towns of India are slum areas. What we are ashamed of as it were a disgrace and regard as a kind of leprosy, is, in India, the urban phenomenon, reduced to its ultimate expression: the herding together of individuals whose only reason for living is to herd together in millions, whatever the conditions of life may be. Filth, chaos, promiscuity, congestion; ruins, huts, mud, dirt; dung, urine, pus, humours, secretions and running sores: all the things against which we expect urban life to give us organized protection, all these by-products of cohabitation do not set any limitation on it in India. They are more like a natural environment in which the Indian town needs to prosper. To every individual, any street, footpath or alley affords a home, where he can sit, sleep, and even pick up his food straight from the glutinous filth. Far from repelling him, this filth acquires a kind of domestic status through having been exuded, excreted, trampled on and handled by so many men.<sup>47</sup>

45 It is Luhmann's turn now. He is telling the story of his walks around the Brazilian metropolises:

If one visits, for example, a megacity in Brazil and walks along its squares, avenues, beaches, a continuous observation of one's own position, of the distance, of the accumulation of human bodies to feel competent is necessary. Foreigners are warned of the danger, but this does not help to evaluate certain situations appropriately. Rather one has the feeling that things are perceived by intuition, which helps to recognize possible dangers and to avoid them. Contrariwise, strangers are perceived as objects of aggression, only as bodies. Everything that we are supposed to perceive under the term of person steps back, and this way any attempt of producing social effects by means of the capacity to influence others is

also cancelled. To that end, a context of social control and a common social context that is not presupposed in advance would be necessary.<sup>48</sup>

- 46 Lévi-Strauss had to make a pilgrimage to Bangladesh, to the region of Chittagong to find the Kukis about whom he had written without knowing them first hand. He carried out a research study of their kinship structures that allowed him to re-connect with the safety of anthropological explanations which could not be applied to the metropolis of India.<sup>49</sup>
- 47 Luhmann adopted, this is the second point, a veritable intellectual prowess: to explain the *favelas* without explaining them. In short, the inhabitants of the *favelas* became for Luhmann what the barbarians represented for constructing the Greek *nomos*. What functional differentiation on a planetary scale produces most successfully is exclusion in industrial quantities.<sup>50</sup> It reduces millions of human beings to *bare life* (*ein blosses Leben*; the expression used is Walter Benjamin's in his *Critique to Violence*).<sup>51</sup> In Simone Weil's *Cahiers*, a couple of entries are registered that help to prop up Luhmann's impression of the shanty town inhabitants, of the people living in the *villas miseria* as Argentinean writer Bernardo Verbitsky baptized them in a celebrated novel. In Weil's words:
- Misfortune (*malheur*) under this aspect is horrifying, as life in the nude always is; like a stump, like the tingling of insects. Life without form. Surviving is then the only attachment.
- The moments in which it is bound to maintain simple existence as the only aim is total horror, horror in its purest state.<sup>52</sup>
- 48 In this tenor, it is uncomplicated to trace the link that Luhmann has with the Greek tradition and its fascination for borders, hierarchies, and classifications. It seems as if for Luhmann clear distinctions were indispensable to prevent things from becoming confused with one another. More importantly, the existence of a well-defined form, of functional differentiation in the Global North, depends on the existence of a *planet of slums*.

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## NOTES

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7. Arnaldo Momigliano, *The Classical Foundations of Modern Historiography*, Berkley, University of California Press, 1990, p. 3.
8. Hannah Arendt, *Between Past and Future: Eight Exercises in Political Thought*, New York, Viking Press, 1968, p. 51.
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15. Gregory Valtos, *Platonic Studies*, Princeton, Princeton University Press, 1981; Luhmann, "Jenseits von Barbarei" p. 139; William Rasch, *Niklas Luhmann's Modernity: The Paradoxes of Differentiation*, Stanford, Stanford University Press, 2001, p. 198; Jacques Rancière, *The Philosophers and His Poor*, Durham, Duke University Press, 2004, p. 3.
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33. Luhmann, *Social Systems*, p. 139.
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38. Niklas Luhmann, *La Sociedad de la Sociedad*, Mexico, Herder/Universidad Iberoamericana, 2007, p. 494; Luhmann, "Jenseits von Barbarei," p. 141; Luhmann, "Inclusion-Exclusión," p. 17.
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## ABSTRACTS

This article looks at a vital feature in Niklas Luhmann's social theory: the pair formed by inclusion and exclusion. In these pages, Luhmann's understanding of "inclusion" and "exclusion" serve to study two crucial political landscapes in contemporary social theory: the Greek polis, still

a foundational reference for European political thought, and the shantytowns of the Global South, sites that question the promises of Western modernity.

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